



General Assembly

Substitute Bill No. 1081

January Session, 2013



AN ACT CONCERNING RECYCLING AND JOBS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-207a of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) As used in sections 22a-208d, 22a-208q and subsection (b) of
4 section 22a-228: (1) "Composting" means a process of accelerated
5 biological decomposition of organic material under controlled
6 conditions; (2) "mixed municipal solid waste" means municipal solid
7 waste that consists of mixtures of solid wastes which have not been
8 separated at the source of generation or processed into discrete,
9 homogeneous waste streams such as glass, paper, plastic, aluminum or
10 tire waste streams provided such wastes shall not include any material
11 required to be recycled pursuant to section 22a-241b; [.] and (3) "mixed
12 municipal solid waste composting facility" means a volume reduction
13 plant where mixed municipal solid waste is processed using
14 composting technology.

15 (b) As used in this chapter, "end user" means any person who uses a
16 material for such material's original use or any manufacturer who uses
17 a material as feedstock to make a product.

18 Sec. 2. Section 22a-208f of the general statutes is repealed and the
19 following is substituted in lieu thereof (*Effective October 1, 2013*):

20 Notwithstanding the provisions of section 22a-208a, a scrap metal
21 processor, as described in section 14-67w, shall not be required to
22 obtain a permit under [said] section 22a-208a if on or before [July 1,
23 1990] July 31, 2014, and annually [on March thirty-first thereafter, he]
24 thereafter, such scrap metal processor submits to the Commissioner of
25 Energy and Environmental Protection, on a form prescribed by the
26 commissioner, the amount of scrap metals generated within the
27 borders of the state and purchased or received [from any municipality,
28 municipal or regional authority, the state or any political subdivision
29 of the state listed by town of origin. He shall also send to each
30 Connecticut municipality included in such listing a copy of such
31 information pertaining to the municipality] by such processor for the
32 prior state fiscal year. Such report shall identify the regional solid
33 waste facility from which such scrap metal was received or the
34 Connecticut municipality in which such scrap metal was generated
35 and the type of waste stream that generated such scrap metal. Such
36 report shall also identify the destination facility that received the scrap
37 metal or other recyclable materials from such scrap metal processor.

38 Sec. 3. Section 22a-220 of the general statutes is amended by adding
39 subsection (k) as follows (*Effective October 1, 2013*):

40 (NEW) (k) There is established the "Municipal and Regional
41 Recycling Incentive Program". The purpose of the Municipal and
42 Regional Recycling Incentive Program shall be to provide technical
43 assistance and other incentives to municipalities and regions to
44 advance the state-wide solid waste management plan adopted
45 pursuant to section 22a-228. Such technical assistance shall promote
46 the implementation of sustainable materials management practices
47 that reduce solid waste and increase recovery of designated recyclable
48 items and other recyclable materials. Any municipality or region shall
49 be eligible to participate in such incentive program, provided such
50 municipality or region: (1) Implemented a solid waste disposal pricing
51 system prior to July 1, 2013 which, as determined by the Commissioner
52 of Energy and Environmental Protection, is an effective unit-based

53 pricing system; and (2) committed, not later than October 1, 2013, to
54 participate in such incentive program by agreeing to modernize the
55 solid waste disposal pricing system used within such municipality or
56 region to a unit-based pricing system, in accordance with an
57 implementation plan approved by the commissioner.

58 Sec. 4. Subsections (d) to (g), inclusive, of section 22a-220a of the
59 general statutes are repealed and the following is substituted in lieu
60 thereof (*Effective October 1, 2013*):

61 (d) (1) Any collector hauling solid waste generated by residential,
62 business, commercial or other establishments, including, but not
63 limited to, recyclables generated within the borders of a municipality,
64 shall register annually in such municipality and disclose: (A) The name
65 and address of the collector and the owner of such collection company;
66 (B) the name of any other municipality in which such collector hauls
67 such solid waste, including recyclables; (C) whether the hauling done
68 by such collector is residential, commercial or other; (D) the types of
69 waste hauled; (E) the anticipated location of any disposal facilities or
70 end users receiving recyclable solid waste; and (F) any additional
71 information that such municipality requires to ensure the health and
72 safety of its residents.

73 (2) On or before [July 31, 2011] July 1, 2013, any such collector shall
74 report to the municipality (A) the types of solid waste, including
75 recyclables, as listed in subsection (c) of section 22a-208e generated
76 within the borders of a municipality and collected by such collector,
77 (B) the name, location and contact information for the first destination
78 where such solid waste, including recyclables, was delivered by the
79 collector during the previous fiscal year, and (C) the types and actual
80 or estimated amounts of such solid waste, including recyclables,
81 directly delivered to an out-of-state destination or to an end user or
82 manufacturer in the state. Such reports shall be submitted to the
83 municipality annually, on or before July thirty-first, and shall provide
84 the information specified in this subdivision for the prior state fiscal
85 year. Such reports shall be on a form prescribed by the Commissioner

86 of Energy and Environmental Protection and shall include any other
87 additional information the commissioner deems necessary. Any
88 collector who submits annual reports to the commissioner pursuant to
89 subsection (j) of this section and performs the requisite identification
90 required pursuant to subsection (k) of this section shall be deemed to
91 be in compliance with the provisions of this subdivision.

92 (e) The door of any private vehicle used to haul solid waste shall be
93 clearly marked with the business name and address of the hauler.

94 (f) Any collector who dumps more than one cubic foot in volume of
95 solid waste at one time in an area not designated for such disposal by a
96 municipality pursuant to the provisions of this section or who
97 [knowingly] mixes other solid waste with items designated for
98 recycling pursuant to section 22a-241b, or pursuant to municipal
99 ordinance shall for a first violation be liable for a civil penalty of not
100 more than two thousand five hundred dollars for each violation and
101 not more than ten thousand dollars for a subsequent violation. Any
102 municipality or the Attorney General, at the request of the
103 commissioner, may bring an action under this section. All such actions
104 shall have precedence in the order of trial as provided in section 52-
105 191. Any such action by the Attorney General shall be brought in the
106 superior court for the judicial district of Hartford.

107 (g) As used in this section, "collector" means any person who holds
108 himself out for hire to collect solid waste on a regular basis from
109 residential, business, commercial or other establishments. "Collector"
110 does not include: (1) Any person who transports solid waste that is
111 incidentally generated during professional or commercial activities
112 unrelated to the collection of solid waste, such as residential property
113 repairs, provided such solid waste is self-generated by such person's
114 professional or commercial activities and such solid waste is
115 transported to an authorized recycling facility, a permitted recycling
116 facility, or a permitted solid waste facility, and (2) any person who
117 transports used materials for the purpose of delivering such materials
118 to a charitable organization that distributes reused household items or

119 to a retail facility that sells reused household items.

120 Sec. 5. Subsection (a) of section 22a-226e of the general statutes is
121 repealed and the following is substituted in lieu thereof (*Effective*
122 *October 1, 2013*):

123 (a) [Not later than six months after the establishment of service in
124 the state by two or more permitted source-separated organic material
125 composting facilities, as defined in section 22a-207, that have a
126 combined capacity to service the needs of commercial food
127 wholesalers or distributors, industrial food manufacturers or
128 processors, supermarkets, resorts or conference centers that each
129 generate an average projected volume of not less than one hundred
130 four tons per year of source-separated organic materials] (1) On and
131 after January 1, 2014, each commercial food wholesaler or distributor,
132 industrial food manufacturer or processor, supermarket, resort or
133 conference center that is located not more than twenty miles from an
134 authorized source-separated organic material composting facility and
135 that generates an average projected volume of not less than one
136 hundred four tons per year of source-separated organic materials shall:
137 [(1)] (A) Separate such source-separated organic materials from other
138 solid waste; and [(2)] (B) ensure that such source-separated organic
139 materials are recycled at [a permitted source-separated organic
140 material composting facility that is not more than twenty miles from
141 such wholesaler, distributor, manufacturer, processor, supermarket,
142 resort or conference center, as applicable] any authorized source-
143 separated organic material composting facility that has available
144 capacity and that will accept such source-separated organic material.

145 (2) On and after January 1, 2020, each commercial food wholesaler
146 or distributor, industrial food manufacturer or processor, supermarket,
147 resort or conference center that is located not more than twenty miles
148 from an authorized source-separated organic material composting
149 facility shall: (A) Separate such source-separated organic materials
150 from other solid waste; and (B) ensure that such source-separated
151 organic materials are recycled at any authorized source-separated

152 organic material composting facility that has available capacity and
153 that will accept such source-separated organic material.

154 Sec. 6. Section 22a-241 of the general statutes is amended by adding
155 subsection (d) as follows (*Effective October 1, 2013*):

156 (NEW) (d) The Commissioner of Energy and Environmental
157 Protection, in consultation with the Office of Policy and Management
158 and leaders of regional waste management authorities, shall identify
159 opportunities for new incentives to provide for regional collaboration
160 among municipalities to achieve cost savings and standardization in
161 recycling and solid waste management. There is established a state
162 goal to have regional waste management authorities provide a
163 regional option for solid waste management services to eighty per cent
164 of municipalities in the state not later than January 1, 2015, and to
165 provide such regional option to all municipalities in the state not later
166 than January 1, 2017. Any municipality that participates in a regional
167 waste management authority that provides solid waste management
168 services shall be prioritized for inclusion in the Municipal and
169 Regional Recycling Incentive Program established in subsection (k) of
170 section 22a-220, as amended by this act.

171 Sec. 7. (NEW) (*Effective October 1, 2013*) The Commissioner of
172 Energy and Environmental Protection, in consultation with other state
173 agencies or quasi-public agencies, shall identify opportunities for the
174 establishment of a new, or the expansion of any existing, recycling
175 infrastructure investment program.

176 Sec. 8. (NEW) (*Effective October 1, 2013, and applicable to assessment*
177 *years commencing on or after said date*) (a) For the purposes of this
178 section:

179 (1) "Municipality" has the same meaning as provided in section 12-
180 129r of the general statutes.

181 (2) "Recycling" has the same meaning as provided in section 22a-207
182 of the general statutes.

183 (b) Any municipality may, by ordinance adopted by its legislative
 184 body, provide an exemption from property tax for any machinery or
 185 equipment used in connection with recycling that is installed on or
 186 after October 1, 2013. Any such exemption shall apply only to: (1) The
 187 increased value of the commercial or industrial property that is
 188 attributable to such machinery or equipment, and (2) the first fifteen
 189 assessment years following installation of such machinery or
 190 equipment.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	22a-207a
Sec. 2	<i>October 1, 2013</i>	22a-208f
Sec. 3	<i>October 1, 2013</i>	22a-220
Sec. 4	<i>October 1, 2013</i>	22a-220a(d) to (g)
Sec. 5	<i>October 1, 2013</i>	22a-226e(a)
Sec. 6	<i>October 1, 2013</i>	22a-241
Sec. 7	<i>October 1, 2013</i>	New section
Sec. 8	<i>October 1, 2013, and applicable to assessment years commencing on or after said date</i>	New section

ENV Joint Favorable Subst.